



JCO7 Rec'd PCT/PTO 14 APR 2005

PCT

**PATENT**

Attorney Docket No.: 2854(203-3081PCTUS)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Thomas L. Buchman, III

Examiner: Not assigned

Serial No.: 10/521,901

Group: Art Unit Not Assigned

Filed: January 14, 2005

Dated: April 12, 2005

For: ELECTROSURGICAL PENCIL WITH DRAG SENSING CAPABILITY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. It is respectfully submitted that copies of the references listed on pages 1-8 are not required since this application was filed after June 30, 2003 pursuant to 51 C.F.R. 1.98. Copies of foreign references and publications listed on page 9 of form PTO-1449 are enclosed.

Applicants would like to bring parent International Application No. PCT/US03/22900 filed on July 23, 2003 to the Examiner's attention. A copy of this application is enclosed.

Applicant would also like to bring commonly-owned International Application No. PCT/US04/04685 filed on February 17, 2004; U.S. Application No. 10/718,113 filed on November 20, 2003; U.S. Application No. 10/959,824 filed on

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 12, 2005.

Dated: April 12, 2005

Edward C. Meagher

October 6, 2004; International Application No. PCT/US03/37111 filed on November 20, 2003; U.S. Application No. 29/193,706 filed on November 13, 2003; U.S. Application No. 10/716,776 filed on November 19, 2003 to the Examiner's attention. Copies of these applications are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

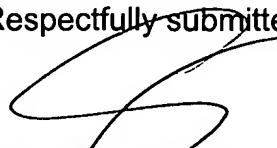
The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- This information disclosure statement is being filed within three (3) months of the filing date of this application.
- This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.

- Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
  - Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).
- 
- Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
  - Please charge the \$130.00 petition fee to Deposit Account No. 21-0550.
- 
- Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
  - Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.
- 
- Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,

  
Edward C. Meagher  
Reg. No. 41,189  
Attorney for Applicant(s)

***Carter, DeLuca, Farrell & Schmidt, LLP***  
445 Broad Hollow Road  
Suite 225  
Melville, New York 11747  
Tel.: (631) 501-5700  
Fax: (631) 501-3526

ECM/gm



|  |  |                          |                    |
|--|--|--------------------------|--------------------|
| Form PTO-1449  |  | Docket Number (Optional) | Application Number |
| <b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION</b> |  | 2854 (203-3081PCTUS)     | 10/521,901         |
| (Use several sheets if necessary)                            |  | Applicants               |                    |
|  |  | Thomas L. Buchman, III   |                    |
|  |  | Filing Date              | Group Art Number   |
|  |  | January 14, 2005         | Not Assigned       |

 U.S. PATENT DOCUMENTS – **WITHOUT REFERENCES**

| Examiner Initial | Document Number | Date     | Name            | Class | Subclass | Filing Date if Appropriate |
|------------------|-----------------|----------|-----------------|-------|----------|----------------------------|
|                  | 3,460,539       | 8/12/69  | ANHALT, SR.     |       |          |                            |
|                  | 3,825,004       | 7/23/74  | DURDEN, III.    |       |          |                            |
|                  | 3,828,780       | 8/13/74  | MORRISON, JR.   |       |          |                            |
|                  | 3,875,945       | 4/8/75   | FRIEDMAN        |       |          |                            |
|                  | 3,902,494       | 9/2/75   | HABERLEN ET AL. |       |          |                            |
|                  | 3,906,955       | 9/23/75  | ROBERTS         |       |          |                            |
|                  | 3,967,084       | 6/29/76  | POUNDS          |       |          |                            |
|                  | 3,974,833       | 8/17/76  | DURDEN, III.    |       |          |                            |
|                  | 4,032,738       | 6/28/77  | ESTY ET AL.     |       |          |                            |
|                  | 4,034,761       | 7/12/77  | PRATER ET AL.   |       |          |                            |
|                  | 4,232,676       | 11/11/80 | HERCZOG         |       |          |                            |
|                  | 4,314,559       | 2/9/82   | ALLEN           |       |          |                            |
|                  | 4,427,006       | 1/24/84  | NOTTKE          |       |          |                            |
|                  | 4,443,935       | 4/24/84  | ZAMBA ET AL.    |       |          |                            |
|                  | 4,459,443       | 7/10/84  | LEWANDOWSKI     |       |          |                            |
|                  | 4,463,234       | 7/31/84  | BENNEWITZ       |       |          |                            |
|                  | 4,463,759       | 8/7/84   | GARITO ET AL.   |       |          |                            |
|                  | 4,492,231       | 1/8/85   | AUTH            |       |          |                            |
|                  | 4,545,375       | 10/8/85  | CLINE           |       |          |                            |
|                  | 4,562,838       | 1/7/86   | WALKER          |       |          |                            |
|                  | 4,589,411       | 5/20/86  | FRIEDMAN        |       |          |                            |
|                  | 4,619,258       | 10/28/86 | POOL            |       |          |                            |

| Examiner | Date Considered |
|----------|-----------------|
|          |                 |

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

|  |  |                          |                    |
|--|--|--------------------------|--------------------|
| Form PTO-1449  |  | Docket Number (Optional) | Application Number |
| <b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION</b> |  | 2854 (203-3081PCTUS)     | 10/521,901         |
| (Use several sheets if necessary)                            |  | Applicants               |                    |
|  |  | Thomas L. Buchman, III   |                    |
|  |  | Filing Date              | Group Art Number   |
|  |  | January 14, 2005         | Not Assigned       |

**U.S. PATENT DOCUMENTS – WITHOUT REFERENCES**

| Examiner Initial | Document Number | Date     | Name              | Class | Subclass | Filing Date if Appropriate |
|------------------|-----------------|----------|-------------------|-------|----------|----------------------------|
|                  | 4,625,723       | 12/2/86  | ALTNETHER ET AL.  |       |          |                            |
|                  | 4,640,279       | 2/3/87   | BEARD             |       |          |                            |
|                  | 4,642,128       | 2/10/87  | SOLORZANO         |       |          |                            |
|                  | 4,655,215       | 4/7/87   | PIKE              |       |          |                            |
|                  | 4,657,016       | 4/14/87  | GARITO ET AL.     |       |          |                            |
|                  | 4,683,884       | 8/4/87   | HATFIELD ET AL.   |       |          |                            |
|                  | 4,688,569       | 8/25/87  | RABINOWITZ        |       |          |                            |
|                  | 4,701,193       | 10/20/87 | ROBERTSON ET AL.  |       |          |                            |
|                  | 4,735,603       | 4/5/88   | GOODSON ET AL.    |       |          |                            |
|                  | 4,754,754       | 7/5/88   | GARITO ET AL.     |       |          |                            |
|                  | 4,785,807       | 11/22/88 | BLANCH            |       |          |                            |
|                  | 4,827,911       | 5/9/89   | BROADWIN ET AL.   |       |          |                            |
|                  | 4,846,790       | 7/11/89  | HORNLEIN ET AL.   |       |          |                            |
|                  | 4,850,353       | 7/25/89  | STASZ ET AL.      |       |          |                            |
|                  | 4,862,890       | 9/5/89   | STASZ ET AL.      |       |          |                            |
|                  | 4,869,715       | 9/26/89  | SHERBURNE         |       |          |                            |
|                  | 4,886,060       | 12/12/89 | WIKSELL           |       |          |                            |
|                  | 4,901,719       | 2/20/90  | TRENCONSKY ET AL. |       |          |                            |
|                  | 4,909,249       | 3/20/90  | AKKAS ET AL.      |       |          |                            |
|                  | 4,911,159       | 3/27/90  | JOHNSON ET AL.    |       |          |                            |
|                  | 4,916,275       | 4/10/90  | ALMOND            |       |          |                            |
|                  | 4,921,476       | 5/1/90   | WUCHINICH         |       |          |                            |

|  |                 |
|--|-----------------|
| Examiner   | Date Considered |
| Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |                 |

| Form PTO-1449<br><b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION</b><br>(Use several sheets if necessary)   |                 |          |                   | Docket Number (Optional) |          | Application Number         |  |
|--|-----------------|----------|-------------------|--------------------------|----------|----------------------------|--|
|  |                 |          |                   | 2854 (203-3081PCTUS)     |          | 10/521,901                 |  |
|  |                 |          |                   | Applicants               |          |                            |  |
|  |                 |          |                   | Thomas L. Buchman, III   |          |                            |  |
|  |                 |          |                   | Filing Date              |          | Group Art Number           |  |
|  |                 |          |                   | January 14, 2005         |          | Not Assigned               |  |
| <b>U.S. PATENT DOCUMENTS – WITHOUT REFERENCES</b>  |                 |          |                   |                          |          |                            |  |
| Examiner Initial   | Document Number | Date     | Name              | Class                    | Subclass | Filing Date if Appropriate |  |
|  | 4,931,047       | 6/5/90   | BROADWIN ET AL.   |                          |          |                            |  |
|  | 4,986,839       | 1/22/91  | WERTZ ET AL.      |                          |          |                            |  |
|  | 4,988,334       | 1/29/91  | HORNLEIN ET AL.   |                          |          |                            |  |
|  | 5,015,227       | 5/14/91  | BROADWIN ET AL.   |                          |          |                            |  |
|  | 5,026,368       | 6/25/91  | ADAIR             |                          |          |                            |  |
|  | 5,055,100       | 10/8/91  | OLSEN             |                          |          |                            |  |
|  | 5,071,418       | 12/10/91 | ROSENBAUM         |                          |          |                            |  |
|  | 5,076,276       | 12/31/91 | SAKURAI ET AL.    |                          |          |                            |  |
|  | 5,088,997       | 2/18/92  | DELAHUERGA ET AL. |                          |          |                            |  |
|  | 5,098,430       | 3/24/92  | FLEENOR           |                          |          |                            |  |
|  | 5,100,402       | 3/31/92  | FAN               |                          |          |                            |  |
|  | 5,133,714       | 7/28/92  | BEANE             |                          |          |                            |  |
|  | 5,147,292       | 9/15/92  | KULLAS ET AL.     |                          |          |                            |  |
|  | 5,160,334       | 11/3/92  | BILLINGS ET AL.   |                          |          |                            |  |
|  | 5,162,044       | 11/10/92 | GAHN ET AL.       |                          |          |                            |  |
|  | 5,178,605       | 1/12/93  | IMONTI            |                          |          |                            |  |
|  | 5,190,517       | 3/2/93   | ZIEVE ET AL.      |                          |          |                            |  |
|  | 5,192,267       | 3/9/93   | SHAPIRA ET AL.    |                          |          |                            |  |
|  | 5,195,959       | 3/23/93  | SMITH             |                          |          |                            |  |
|  | 5,196,007       | 3/23/93  | ELLMAN ET AL.     |                          |          |                            |  |
|  | 5,197,962       | 3/30/93  | SANSOM ET AL.     |                          |          |                            |  |
|  | 5,199,944       | 4/6/93   | COSMESCU          |                          |          |                            |  |
| Examiner   |                 |          |                   | Date Considered          |          |                            |  |
| Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |                 |          |                   |                          |          |                            |  |

| Form PTO-1449<br><b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION</b><br>(Use several sheets if necessary)   |                 |          |                   | Docket Number (Optional) |                  | Application Number         |
|--|-----------------|----------|-------------------|--------------------------|------------------|----------------------------|
|  |                 |          |                   | 2854 (203-3081PCTUS)     |                  | 10/521,901                 |
|  |                 |          |                   | Applicants               |                  |                            |
|  |                 |          |                   | Thomas L. Buchman, III   |                  |                            |
|  |                 |          |                   | Filing Date              | Group Art Number |                            |
|  |                 |          |                   | January 14, 2005         | Not Assigned     |                            |
| <b>U.S. PATENT DOCUMENTS – WITHOUT REFERENCES</b>  |                 |          |                   |                          |                  |                            |
| Examiner Initial   | Document Number | Date     | Name              | Class                    | Subclass         | Filing Date if Appropriate |
|  | 5,217,457       | 6/8/93   | DELAHUERGA ET AL. |                          |                  |                            |
|  | 5,224,944       | 7/6/93   | ELLIOTT           |                          |                  |                            |
|  | 5,226,904       | 7/13/93  | GENTELIA ET AL.   |                          |                  |                            |
|  | 5,233,515       | 8/3/93   | COSMAN            |                          |                  |                            |
|  | 5,234,428       | 8/10/93  | KAUFMAN           |                          |                  |                            |
|  | 5,242,442       | 9/7/93   | HIRSCHFELD        |                          |                  |                            |
|  | 5,244,462       | 9/14/93  | DELAHUERGA ET AL. |                          |                  |                            |
|  | 5,246,440       | 9/21/93  | VAN NOORD         |                          |                  |                            |
|  | 5,254,082       | 10/19/93 | TAKASE            |                          |                  |                            |
|  | 5,254,117       | 10/19/93 | RIGBY ET AL.      |                          |                  |                            |
|  | 5,256,138       | 10/26/93 | BUREK ET AL.      |                          |                  |                            |
|  | 5,269,781       | 12/14/93 | HEWELL, III.      |                          |                  |                            |
|  | 5,300,087       | 4/5/94   | KNOEPFLER         |                          |                  |                            |
|  | 5,304,763       | 4/19/94  | ELLMAN ET AL.     |                          |                  |                            |
|  | 5,306,238       | 4/26/94  | FLEENOR           |                          |                  |                            |
|  | 5,312,329       | 5/17/94  | BEATY ET AL.      |                          |                  |                            |
|  | 5,318,516       | 6/7/94   | COSMESCU          |                          |                  |                            |
|  | 5,318,565       | 6/7/94   | KURILOFF ET AL.   |                          |                  |                            |
|  | 5,334,183       | 8/2/94   | WUCHINICH         |                          |                  |                            |
|  | 5,342,356       | 8/30/94  | ELLMAN ET AL.     |                          |                  |                            |
|  | 5,348,555       | 9/20/94  | ZINNANTI          |                          |                  |                            |
|  | 5,376,089       | 12/27/94 | SMITH             |                          |                  |                            |
| Examiner   |                 |          |                   | Date Considered          |                  |                            |
| Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |                 |          |                   |                          |                  |                            |

|  |  |  |                                      |
|--|--|--|--------------------------------------|
| Form PTO-1449<br><br><b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION</b><br><br>(Use several sheets if necessary) |  | Docket Number (Optional)<br><br>2854 (203-3081PCTUS) | Application Number<br><br>10/521,901 |
|  |  | Applicants<br><br>Thomas L. Buchman, III             |                                      |
|  |  | Filing Date<br><br>January 14, 2005                  | Group Art Number<br><br>Not Assigned |

**U.S. PATENT DOCUMENTS – WITHOUT REFERENCES**

| Examiner Initial | Document Number | Date     | Name             | Class | Subclass | Filing Date if Appropriate |
|------------------|-----------------|----------|------------------|-------|----------|----------------------------|
|                  | 5,380,320       | 1/10/95  | MORRIS           |       |          |                            |
|                  | 5,382,247       | 1/17/95  | CIMINO ET AL.    |       |          |                            |
|                  | 5,395,363       | 3/7/95   | BILLINGS ET AL.  |       |          |                            |
|                  | 5,399,823       | 3/21/95  | MCCUSKER         |       |          |                            |
|                  | 5,401,273       | 3/28/95  | SHIPPERT         |       |          |                            |
|                  | 5,403,882       | 4/4/95   | HUGGINS          |       |          |                            |
|                  | 5,406,945       | 4/18/95  | RIAZZI ET AL.    |       |          |                            |
|                  | 5,409,484       | 4/25/95  | ERLICH ET AL.    |       |          |                            |
|                  | 5,413,575       | 5/9/95   | HAENGGI          |       |          |                            |
|                  | 5,421,829       | 6/6/95   | OLICHNEY ET AL.  |       |          |                            |
|                  | 5,431,650       | 7/11/95  | COSMESCU         |       |          |                            |
|                  | 5,451,222       | 9/19/95  | DE MAAGD ET AL.  |       |          |                            |
|                  | 5,460,602       | 10/24/95 | SHAPIRA          |       |          |                            |
|                  | 5,462,522       | 10/31/95 | SAKURAI ET AL.   |       |          |                            |
|                  | 5,484,398       | 1/16/96  | STODDARD         |       |          |                            |
|                  | 5,484,434       | 1/16/96  | CARTMELL ET AL.  |       |          |                            |
|                  | 5,486,162       | 1/23/96  | BRUMBACH         |       |          |                            |
|                  | 5,498,654       | 3/12/96  | SHIMASAKI ET AL. |       |          |                            |
|                  | 5,531,722       | 7/2/96   | VAN HALE         |       |          |                            |
|                  | 5,549,604       | 8/27/96  | SUTCU ET AL.     |       |          |                            |
|                  | 5,601,224       | 2/11/97  | BISHOP ET AL.    |       |          |                            |
|                  | 5,609,573       | 3/11/97  | SANDOCK          |       |          |                            |

|  |                 |
|--|-----------------|
| Examiner   | Date Considered |
| Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |                 |

| Form PTO-1449<br><b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION</b><br>(Use several sheets if necessary)   |                 |          | Docket Number (Optional) |                  | Application Number |                            |
|--|-----------------|----------|--------------------------|------------------|--------------------|----------------------------|
|  |                 |          | 2854 (203-3081PCTUS)     |                  | 10/521,901         |                            |
|  |                 |          | Applicants               |                  |                    |                            |
|  |                 |          | Thomas L. Buchman, III   |                  |                    |                            |
| (Use several sheets if necessary)  |                 |          | Filing Date              | Group Art Number |                    |                            |
|  |                 |          | January 14, 2005         | Not Assigned     |                    |                            |
| <b>U.S. PATENT DOCUMENTS – WITHOUT REFERENCES</b>  |                 |          |                          |                  |                    |                            |
| Examiner Initial   | Document Number | Date     | Name                     | Class            | Subclass           | Filing Date if Appropriate |
|  | 5,634,912       | 6/3/97   | INJEV                    |                  |                    |                            |
|  | 5,643,256       | 7/1/97   | URUETA                   |                  |                    |                            |
|  | 5,669,907       | 9/23/97  | PLATT, JR. ET AL.        |                  |                    |                            |
|  | 5,693,050       | 12/2/97  | SPEISER                  |                  |                    |                            |
|  | 5,693,052       | 12/2/97  | WEAVER                   |                  |                    |                            |
|  | 5,697,926       | 12/16/97 | WEAVER                   |                  |                    |                            |
|  | 5,702,360       | 12/30/97 | DIERAS ET AL.            |                  |                    |                            |
|  | 5,702,387       | 12/30/97 | ARTS ET AL.              |                  |                    |                            |
|  | 5,713,895       | 2/3/98   | LONTINE ET AL.           |                  |                    |                            |
|  | 5,720,745       | 2/24/98  | FARIN ET AL.             |                  |                    |                            |
|  | 5,765,418       | 6/16/98  | ROSENBERG                |                  |                    |                            |
|  | 5,776,092       | 7/7/98   | FARIN ET AL.             |                  |                    |                            |
|  | 5,797,907       | 8/25/98  | CLEMENT                  |                  |                    |                            |
|  | 5,836,897       | 11/17/98 | SAKURAI ET AL.           |                  |                    |                            |
|  | 5,843,109       | 12/1/98  | MEHTA ET AL.             |                  |                    |                            |
|  | 5,868,768       | 2/9/99   | WICHERSKI ET AL.         |                  |                    |                            |
|  | 5,893,862       | 4/13/99  | PRATT ET AL.             |                  |                    |                            |
|  | 5,941,887       | 8/24/99  | STEEN ET AL.             |                  |                    |                            |
|  | 5,944,737       | 8/31/99  | TSONTON ET AL.           |                  |                    |                            |
|  | 5,951,581       | 9/14/99  | SAADAT ET AL.            |                  |                    |                            |
|  | 5,972,007       | 10/26/99 | SHEFFIELD ET AL.         |                  |                    |                            |
|  | 6,004,318       | 12/21/99 | GARITO ET AL.            |                  |                    |                            |
| Examiner   |                 |          |                          | Date Considered  |                    |                            |
| Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |                 |          |                          |                  |                    |                            |

|  |  |  |                                      |
|--|--|--|--------------------------------------|
| Form PTO-1449<br><br><b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION</b><br><br>(Use several sheets if necessary) |  | Docket Number (Optional)<br><br>2854 (203-3081PCTUS) | Application Number<br><br>10/521,901 |
|  |  | Applicants<br><br>Thomas L. Buchman, III             |                                      |
|  |  | Filing Date<br><br>January 14, 2005                  | Group Art Number<br><br>Not Assigned |

**U.S. PATENT DOCUMENTS - WITHOUT REFERENCES**

| Examiner Initial | Document Number | Date     | Name              | Class | Subclass | Filing Date if Appropriate |
|------------------|-----------------|----------|-------------------|-------|----------|----------------------------|
|                  | 6,004,333       | 12/21/99 | SHEFFIELD ET AL.  |       |          |                            |
|                  | 6,063,050       | 5/16/00  | MANNA ET AL.      |       |          |                            |
|                  | 6,070,444       | 6/6/00   | LONTINE ET AL.    |       |          |                            |
|                  | 6,099,525       | 8/8/00   | COSMESCU          |       |          |                            |
|                  | 6,117,134       | 9/12/00  | CUNNINGHAM ET AL. |       |          |                            |
|                  | 6,139,547       | 10/31/00 | LONTINE ET AL.    |       |          |                            |
|                  | 6,142,995       | 11/7/00  | COSMESCU          |       |          |                            |
|                  | 6,146,353       | 11/14/00 | PLATT, JR.        |       |          |                            |
|                  | 6,213,999       | 4/10/01  | PLATT, JR. ET AL. |       |          |                            |
|                  | 6,249,706       | 6/19/01  | SOBOTA ET AL.     |       |          |                            |
|                  | 6,251,110       | 6/26/01  | WAMPLER           |       |          |                            |
|                  | 6,257,241       | 7/10/01  | WAMPLER           |       |          |                            |
|                  | 6,258,088       | 7/10/01  | TZONEV ET AL.     |       |          |                            |
|                  | 6,287,344       | 9/11/01  | WAMPLER ET AL.    |       |          |                            |
|                  | 6,312,441       | 11/6/01  | DENG              |       |          |                            |
|                  | 6,358,281       | 3/19/02  | BERRANG ET AL.    |       |          |                            |
|                  | 6,361,532       | 3/26/02  | BUREK             |       |          |                            |
|                  | 6,402,748       | 6/11/02  | SCHOENMAN ET AL.  |       |          |                            |
|                  | 6,494,882       | 12/17/02 | LEBOUITZ ET AL.   |       |          |                            |
|                  | 6,747,218       | 6/8/04   | HUSEMAN ET AL.    |       |          |                            |
|                  | 2003/0004508    | 1/2/03   | MORGAN ET AL.     |       |          |                            |
|                  | 2004/0092927    | 5/13/04  | PODHAJSKY ET AL.  |       |          |                            |

|  |                 |
|--|-----------------|
| Examiner   | Date Considered |
| Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |                 |

| Form PTO-1449<br><b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION</b><br>(Use several sheets if necessary)   |  |                 |          | Docket Number (Optional) |  | Application Number |          |                            |
|--|--|-----------------|----------|--------------------------|--|--------------------|----------|----------------------------|
|  |  |                 |          | 2854 (203-3081PCTUS)     |  | 10/521,901         |          |                            |
|  |  |                 |          | Applicants               |  |                    |          |                            |
|  |  |                 |          | Thomas L. Buchman, III   |  |                    |          |                            |
|  |  |                 |          | Filing Date              |  | Group Art Number   |          |                            |
|  |  |                 |          | January 14, 2005         |  | Not Assigned       |          |                            |
| <b>U.S. PATENT DOCUMENTS – WITHOUT REFERENCES</b>  |  |                 |          |                          |  |                    |          |                            |
| Examiner Initial   |  | Document Number | Date     | Name                     |  | Class              | Subclass | Filing Date if Appropriate |
|  |  | 2004/0230262    | 11/18/04 | SARTOR ET AL.            |  |                    |          |                            |
|  |  | D253,247        | 10/23/79 | GILL                     |  |                    |          |                            |
|  |  | D330,253        | 10/13/92 | BUREK                    |  |                    |          |                            |
|  |  | D393,067        | 3/31/98  | GEARY ET AL.             |  |                    |          |                            |
|  |  | D402,030        | 12/1/98  | ROBERTS ET AL.           |  |                    |          |                            |
|  |  | D402,031        | 12/1/98  | ROBERTS ET AL.           |  |                    |          |                            |
|  |  | D441,077        | 4/24/01  | GARITO ET AL.            |  |                    |          |                            |
|  |  | D453,222        | 1/29/02  | GARITO ET AL.            |  |                    |          |                            |
|  |  | D493,530        | 7/27/04  | RESCHKE                  |  |                    |          |                            |
|  |  | D493,888        | 8/3/04   | RESCHKE                  |  |                    |          |                            |
|  |  | D494,270        | 8/10/04  | RESCHKE                  |  |                    |          |                            |
|  |  | D495,051        | 8/24/04  | RESCHKE                  |  |                    |          |                            |
|  |  | D495,052        | 8/24/04  | RESCHKE                  |  |                    |          |                            |
|  |  |                 |          |                          |  |                    |          |                            |
|  |  |                 |          |                          |  |                    |          |                            |
|  |  |                 |          |                          |  |                    |          |                            |
|  |  |                 |          |                          |  |                    |          |                            |
|  |  |                 |          |                          |  |                    |          |                            |
|  |  |                 |          |                          |  |                    |          |                            |
|  |  |                 |          |                          |  |                    |          |                            |
| Examiner   |  |                 |          | Date Considered          |  |                    |          |                            |
| Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |  |                 |          |                          |  |                    |          |                            |

|                                   |  |  |  |                          |  |                    |  |
|-----------------------------------|--|--|--|--------------------------|--|--------------------|--|
| Form PTO-1449                     |  |  |  | Docket Number (Optional) |  | Application Number |  |
|                                   |  |  |  | 2854 (203-3081PCTUS)     |  | 10/521,901         |  |
|                                   |  |  |  | Applicants               |  |                    |  |
|                                   |  |  |  | Thomas L. Buchman, III   |  |                    |  |
|                                   |  |  |  | Filing Date              |  | Group Art Number   |  |
| (Use several sheets if necessary) |  |  |  | January 14, 2005         |  | Not Assigned       |  |

## U.S. PATENT DOCUMENTS – WITHOUT REFERENCES

| Examiner Initial |  | Document Number | Date | Name | Class | Subclass | Filing Date if Appropriate |
|------------------|--|-----------------|------|------|-------|----------|----------------------------|
|                  |  |                 |      |      |       |          |                            |

## FOREIGN PATENT DOCUMENTS – WITH REFERENCES

|  |  | Document Number | Date    | Country | Class | Subclass | Translation |    |
|--|--|-----------------|---------|---------|-------|----------|-------------|----|
|  |  |                 |         |         |       |          | Yes         | No |
|  |  | DE30 45 996     | 7/8/82  | DE      |       |          |             |    |
|  |  | EP1050277       | 11/8/00 | EP      |       |          |             |    |
|  |  | EP1050279       | 11/8/00 | EP      |       |          |             |    |
|  |  | EP1082945       | 3/14/01 | EP      |       |          |             |    |
|  |  | EP1293171       | 3/19/03 | EP      |       |          |             |    |
|  |  | 2235669         | 1/31/75 | FR      |       |          |             |    |
|  |  | WO94/20032      | 9/15/94 | PCT     |       |          |             |    |
|  |  | WO01/64122      | 9/7/01  | PCT     |       |          |             |    |
|  |  |                 |         |         |       |          |             |    |

## OTHER DOCUMENTS

|  |   |
|--|---|
|  | Jaime M. Vasquez, et al.; SURGICAL TECHNOLOGY INTERNATIONAL VII; <i>Techniques of Treatment of Peritoneal Endometriosis: The Cavitational Ultrasonic Surgical Aspirator</i> ; |
|  | International Search Report from PCT/US03/37111   |
|  | International Search Report from PCT/US04/04685   |
|  | International Search Report from EP/0401/5980   |
|  | International Search Report from PCT/US03/22900   |

|  |                 |
|--|-----------------|
| Examiner   | Date Considered |
| Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |                 |